

REMARKS

This paper responds to the Office Action mailed on March 16, 2005. Claims 1-20 are canceled and claims 21-40 are added such that claims 21-40 are now pending in this application.

Submission of Formal Drawing

Applicants submit herewith one formal drawing sheet. It is believed that the drawing is in compliance with 37 C.F.R 1.84. No amendments have been made to the drawing.

§102 Rejection of the Claims

Claims 1-4, 8-11, 13-15 and 17 were rejected under 35 USC § 102(b) as being anticipated by Nelson et al. (U.S. 6,046,905).

Claims 1-4, 8-11, 13-15 and 17 have been canceled such that this rejection is moot.

§103 Rejection of the Claims

Claims 5-7, 16, 18 and 19 were rejected under 35 USC § 103(a) as being unpatentable over Nelson et al. in view of Ruegg (U.S. 4,266,267).

Claim 12 was also rejected under 35 USC § 103(a) as being unpatentable over Nelson et al. in view of Johnson et al. (U.S. 4,321,423).

Claim 20 was also rejected under 35 USC § 103(a) as being unpatentable over Nelson et al. in view of Cohen (U.S. 6,549,410).

Claims 5-7, 12, 16 and 18-20 have been canceled such that these rejections are moot.

Applicant Comment Regarding New Claims 21-40

Applicant submits that new claims 21-40 are adequately supported by the specification and drawings. Applicant further notes that none of the pins 26, 52 disclosed in the cited Nelson reference engage an upper surface of the heat sink.

Applicant respectfully submits that Nelson teaches away from any type of soldered connection between the pins and motherboard (see, e.g., Nelson at col. 1, lines 41-49; col. 2,

lines 14-19 & 63-65; and col. 3, lines 4-6). Applicant can not see why one of ordinary skill in the art would solder the pins 26, 562 disclosed in Nelson to the motherboard.

First, there is no need to connect the pins 26 to the motherboard as the bent portions 38 of the spring 32 are already connected to the pins. Therefore, connecting the pins 26 to the motherboard would be redundant. In addition, connecting the pins 26 to the motherboard the pins 26 in Nelson would contradict the need for the pins 26 to move through the motherboard as the spring 32 deflects to accommodate packages of varying tolerances (see, e.g., Nelson at col. 1, lines 41-49; col. 2, lines 14-19 & 63-65; and col. 3, lines 4-6).

Second, there is no need to connect the pins 52 to the motherboard as the pins need to be snapped into the cover 50 (see Nelson at col. 3, lines 40-41) (see also col. 3, lines 26-30). Therefore, connecting the pins 52 to the motherboard is unnecessary, especially since such a solder joint would almost routinely be damaged as the pins 52 are snapped into the cover 50.

Reservation of Right to File Continuation or Divisional Applications

Applicant respectfully traverses the pending 35 USC § 102 & 103 rejections. Applicant reserves the right to file a continuation application relating to any of the original and/or canceled claims at a later date. Applicant also respectfully reserves the right to traverse any statements in the Office Action relating to the rejections (e.g., under MPEP 2144.04 among other things). Applicant is expressly not admitting to any assertions made in the Office Action.

Reservation of Right to Swear Behind References

Applicant reserves the right to swear behind any references which are cited in a rejection under 35 U.S.C. §§102(a), 102(e), 103/102(a), and 103/102(e). Statements distinguishing the claimed subject matter over the cited references are not to be interpreted as admissions that the references are prior art.

AMENDMENT AND RESPONSE UNDER 37 CFR § 1.111

Serial Number: 10/607,783

Filing Date: June 27, 2003

Title: HEAT SINK ASSEMBLY AND METHOD OF ATTACHING A HEAT SINK TO AN ELECTRONIC DEVICE ON A MOTHERBOARD

Assignee: Intel Corporation

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Dkt: 884.940US1 (INTEL)

Conclusion

Applicant respectfully submits that the claims are in condition for allowance and notification to that effect is earnestly requested. The Examiner is invited to telephone Applicant's attorney, Andrew Peret at (262) 646-7009, or the below signed attorney to facilitate prosecution of this application.

If necessary, please charge any additional fees or credit overpayment to Deposit Account No. 19-0743.

Respectfully submitted,

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By his Representatives,

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Date May 16, 2005

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CERTIFICATE UNDER 37 CFR 1.8: The undersigned hereby certifies that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail, in an envelope addressed to: MS Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on this 16 day of May 2005.

John D. Gustaf-Wrathall

Name

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Signature